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DATE: May 31, 2006

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FROM: Pat DiGregorio (Cantor Colburn LLP)

OUR REF: GEM-0250

(14XZ00157)

YOUR REF: USSN 10/099,698

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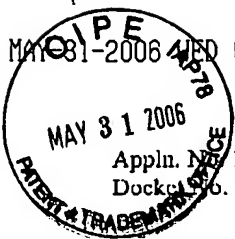
Please find enclosed the Base Issue Fee and Publication Fee Transmittal Form for U.S. Serial No. 10/099,698. Also find enclosed a "FEE ADDRESS" INDICATION FORM (1 page) and "COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE" (3 pages).

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P. 04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/099,698 : Confirmation No.: 1979
Applicant: Regis Valliant : Group Art Unit: 2882
Filed: March 13, 2002 : Examiner: Artman, Thomas R.
Docket No.: 14XZ00157/GEM-0250 :

For: METHOD AND APPARATUS FOR DETERMINING A MAGNIFICATION
FACTOR A RADIOGRAPHIC IMAGE

May 8, 2006

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Provided herewith are comments on the Examiner's Statement of Reasons for
Allowance presented in the Notice of Allowance dated March 10, 2006.

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Patricia DiGregorio
Name

Patricia DiGregorio
Signature

May 31, 2006
Date

Appln. No. 10/099,698
Docket No. 14XZ00157/GEM-0250

The Examiner remarks that Claims 1, 3-5, 7, 8, 13-16, 18-23, 25-39 and 41-91 are allowed for reasons set forth in Paper No. 200602, pages 2-3.

While Applicant agrees that presented claims pertain to allowable subject matter, Applicant respectfully submits that to the extent that the Examiner's remarks suggest or state that certain limitations or combinations not found in the prior art of record relied upon are or may be present in each and every allowable claim, whether or not specific language to that effect is found in every allowable claim, the record as a whole must be considered in addition to the Examiner's remarks, and, to the extent that the record as a whole is clear and complete, it shall control the interpretation of any and all allowable claims.


More specifically, the Examiner's statement of reasons implies that features found in the specification only, in the dependent claims only, or in some but not all independent claims only, are part of all of the allowable claims, when in fact the record clearly reflects that there are claims not so limited. For example, elements may be found in one claim but not in another. Accordingly, the other claims, and claims dependent from the other claims that do not recite the same as the one claim, are not so limited. As further example: allowed independent Claim 16 does not recite "means for determining the magnification factor of at least two X-ray images"; allowed independent Claims 20, 33, 64 and 77, do not recite "at angular separations of greater than 15 degrees"; and, allowed independent Claims 20 and 64 do not recite "the magnification factor is determined by, first, a function of the angular displacement of the source and detector between the acquisitions of the images, and second, as a function of the positions of the identified projections on the images". Accordingly, these claims, and claims dependent from these claims that do not recite the same, are not so limited.

Appl. No. 10/099,698
Docket No. 14XZ00157/GEM-0250

Respectfully submitted,

CANTOR COLBURN LLP

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